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September 16, 2022

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. James R. Cho, U.S.M.J.
225 Cadman Plaza East
Courtroom 11D South
Brooklyn, NY 11201-1804

**Re: Arevalo v. I & S Floors, Inc., et al.
Case No.: 1:22-cv-3149 (EK) (JRC)
MLLG File No.: 121-2022**

Dear Judge Cho:

This office represents the Defendant I & S Floors, Inc. (hereinafter “I&S” or the “Corporate Defendant”) in the above-referenced case. Defendants write, with Plaintiff’s consent, to respectfully request a thirty (30) day extension of time to respond to the complaint.

Consistent with ¶ C(2) of this Court’s Individual Practices, Defendants submit that: (i) the current deadline to respond to the complaint is July 1, 2022 based on the information reported in the docket on this case; (ii-iii) there have been no previous requests for an extension of time to comply with this deadline; (iv) Plaintiff consents to this request; and (v) the requested extension does not affect any other scheduled Court appearance or deadline that the Corporate Defendant is aware of.

The reason for the request is that the parties are exploring settlement by and through their respective counsel. To that end, the Corporate Defendant joins in Plaintiff’s September 13, 2022 letter request for a mediation referral Order, which will assist in facilitating a settlement in the event the parties are unable to reach a settlement on their own.

Finally, although the Corporate Defendant does not concede that service was properly effectuated, it accepts service of the summons and complaint. Accordingly, good cause and excusable neglect exist to warrant an extension of time of the deadline to respond to the complaint for thirty (30) days. See Fed. R. Civ. P. 6(b)(1)(B).

Defendants thank this honorable Court for its time, attention, and anticipated courtesies in this case.

Dated: Lake Success, New York
September 16, 2022

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Emanuel Kataev, Esq.

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